

## Message Text

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ACTION IO-14

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-07

L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 AF-10 ARA-10 EA-10 EUR-12 NEA-10 MCT-01

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E.O. 11652: N/A

TAGS: PFOR, UN, GW

SUBJECT: AD HOC COMMITTEE ON THE TAKING OF HOSTAGES

SUMMARY: COMMITTEE CONCLUDED DISCUSSION OF SUBSTANTIVE PROPOSALS AT AM MEETING AUGUST 17. FRG, US AND MEXICO CONTINUED DISCUSSION OF SPECIFIC ARTICLES OF FRG DRAFT. UK RESPONDED TO AMENDMENTS PROPOSED BY ALGERIA AND LIBYA. USSR MADE PARTICULARLY UNHELPFUL SUMMARY OF WORK OF COMMITTEE, CONCLUDING THAT ISSUE OF TAKING OF HOSTAGES SHOULD BE DEALT WITH MORE CLOSELY WITH GENERAL ISSUE OF TERRORISM. CANADA SUMMARIZED WORK OF COMMITTEE AS HELPFUL IN A NUMBER OF TECHNICAL AREAS ALTHOUGH INCONCLUSIVE ON BASIC ISSUE OF SCOPE. AFTER MEETING, US AND UK MET WITH SECRETARIAT AND RAPPORTEUR RESPECTIVELY TO DISCUSS REPORT OF COMMITTEE. END SUMMARY.

1. FRG BEGAN AM MEETING BY RESPONDING TO THE TECHNICAL CHANGES IN THE FRG DRAFT AND THE AMENDMENTS PROPOSED IN PREVIOUS DAYS BY VARIOUS STATES. US DISCUSSED AND SUPPORTED ARTICLES 8 AND 9 OF THE FRG DRAFT IN ORDER TO BUILD RECORD OF CONSIDERATION OF FRG DRAFT AND INDICATE THAT COMMITTEE HAD PROCEEDED HALF-WAY IN CONSIDERATION OF FRG DRAFT.

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2. MEXICO ATTEMPTED SUMMARIZED MAJOR DIFFERENCE IN COMMITTEE. SAID HE AGREED THAT AREAS ALREADY COVERED BY CONVENTIONS SHOULD NOT BE COVERED IN THIS CONVENTION, BUT THAT HE COULD NOT AGREE THAT THE CONVENTION SHOULD SPECIFICALLY EXEMPT NATIONAL LIBERATION MOVEMENTS (NLM'S). SUGGESTED WE LEAVE THE QUESTION TO THE NLM'S THEMSELVES BY ADDING TO ARTICLE 12 OF THE FRG DRAFT A

PARAGRAPH SIMILAR TO ARTICLE 96 OF PROTOCOL I OF THE 1949 GENEVA CONVENTION, ALLOWING NLM TO DETERMINE WHETHER CONVENTION SHOULD APPLY.

3. UK CRITICIZED PROPOSALS OF ALGERIA AND LIBYA RELATING TO RIGHT TO SELF-DETERMINATION AND STATE CONDUCT AS IRRELEVANT TO MANDATE OF COMMITTEE. ALGERIA RESPONDED THAT RELATION BETWEEN THESE ISSUES WAS WELL KNOWN TO COMMITTEE.

4. USSR CONTINUED ACTIVELY UNHELPFUL CONDUCT AND SUMMARIZED WORK OF COMMITTEE BY ADVOCATING CLOSE CONNECTION BETWEEN WORK ON TAKING OF HOSTAGES AND WORK ON PROBLEM OF INTERNATIONAL TERRORISM IN GENERAL. SAID MORE ATTENTION MUST BE PAID TO THE CAUSES OF TERRORISM IF THE MEASURE TO PREVENT IT WILL BE EFFECTIVE. QUESTION THE ANALYSIS OF TECHNICAL MATTERS PRIOR TO HARMONIZATION ON KEY ELEMENTS OF ANY DRAFT CONVENTION.

5. CANADA, IN EXCELLENT RESPONSE TO USSR, SAID THAT FAILURE TO AGREE ON ONE ISSUE, EVEN THOUGH AN EXTREMELY IMPORTANT ISSUE SHOULD NOT OBSCURE THE FACT THAT THE COMMITTEE HAD CONSIDERED A NUMBER OF OTHER ISSUES, SUCH AS MEASURES TO PREVENT TAKING OF HOSTAGES, EXTRADITION AND JURISDICTION, AND FOUND A LARGE MEASURE OF AGREEMENT. PHILIPPINES AGREED WITH CANADA.

6. PM MEETING AUGUST 17 AND AM MEETING AUGUST 18 CANCELLED TO ALLOW RAPPORTEUR TIME TO PREPARE COMMITTEE REPORT.  
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7. SCHEDULED NEGOTIATIONS WITH ALGERIA AND TANZANIA POSTPONED UNTIL AM AUGUST 18 BECAUSE OF FAILURE OF AFRICAN GROUP TO MEET.

8. FOLLOWING MEETING, US MET WITH SECRETARIAT TO DISCUSS PREPARATION OF REPORT OF COMMITTEE. US INFORMED SECRETARIAT THAT IT EXPECTED ACCURATE RECORD OF PROCEEDINGS AND THAT IF ONE PART OF DEBATE OF COMMITTEE WAS REPORTED, US EXPECTED ALL OF THE DEBATE TO BE REPORTED. US SAID THAT IT WOULD NOT BE ABLE TO ACCEPT A REPORT WHICH SUMMARIZED THE GENERAL DEBATE PHASE OF THE COMMITTEE BY OMITTED A SUMMARY OF THE CONSIDERATION OF SUBSTANTIVE PROPOSALS.

9. UK MET WITH RAPPORTEUR (BYELORUSSIA) TO EXPRESS CONCERN THAT REPORT ACCURATELY REFLECT WORK OF COMMITTEE. UK SAID THAT IF GENERAL DEBATE SUMMARIZED, ENTIRE GENERAL DEBATE CONSIDERATION OF SUBSTANTIVE PROPOSALS MUST ALSO BE CONCLUDED. NETHERLANDS DELEGATIONS PLANNING MAKE APPROACH ALONG LIKE LINES TO SECRETARIAT AND RAPPORTEUR.

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